
STATUTORY RULES OF NORTHERN IRELAND

2014 No. 224

**The Control of Explosives Precursors
etc. Regulations (Northern Ireland) 2014**

PART 2

Control of tier 1 substances and tier 2 substances

Applications

6.—(1) An application for a licence or for the amendment of a licence is valid only if it complies with paragraphs (2) to (7).

(2) An application by an organisation in respect of a tier 1 substance must include details of a person who will be responsible for the substance under the licence (the “responsible person”).

(3) An application must—

- (a) be made on a form approved for that purpose by the Secretary of State;
- (b) contain the information required by that form;
- (c) be made in a manner approved for that purpose by the Secretary of State (which may include a requirement that applications and accompanying documentation be submitted by electronic means);
- (d) include the signature of the applicant;
- (e) in the case of an application by an organisation, include the signature of the responsible person; and
- (f) in the case of an application by an individual who is under the age of 18, include the signature of the applicant’s parent or guardian.

(4) An application must be accompanied by—

- (a) one of the documents specified in paragraph (5) which relates to—
 - (i) in the case of an application by an individual, the applicant,
 - (ii) in the case of an application by an individual who is under the age of 18, the applicant’s parent or guardian, or
 - (iii) in the case of an application by an organisation, the responsible person;
- (b) such further information or documentation as the Secretary of State may require; and
- (c) the appropriate fee.

(5) The documents are—

- (a) a valid United Kingdom passport, within the meaning of section 33(1) of the Immigration Act 1971⁽¹⁾;

⁽¹⁾ 1971 c. 77; this definition was inserted by paragraph 7 of Schedule 4 to the British Nationality Act 1981 (c. 61) and amended by section 1(2) of the British Overseas Territories Act 2002 (c. 8).

- (b) a valid passport or national identity card issued by an EEA State;
 - (c) a valid passport issued by or on behalf of the authorities of any other country or territory outside the United Kingdom;
 - (d) a valid Great Britain or Northern Ireland photo-card driving licence;
 - (e) a valid UK biometric immigration document, issued in accordance with regulations made under section 5 of the UK Borders Act 2007(2); or
 - (f) a valid electoral identity card issued in accordance with section 13C of the Representation of the People Act 1983(3).
- (6) The appropriate fee is—
- (a) £100 where the application is for the grant of a licence in respect of one or more tier 1 substances, including where the application also relates to one or more tier 2 substances (but see sub-paragraph (b));
 - (b) £35 where—
 - (i) the application is for the grant of a licence in respect of one or more tier 1 substances, including where the application also relates to one or more tier 2 substances,
 - (ii) the applicant previously held a licence in respect of the tier 1 substance,
 - (iii) that previous licence was valid not more than 3 months before the day on which the application is made, and
 - (iv) the arrangements relating to the storage or security of the tier 1 substance have not changed.
 - (c) £35 where the application is for—
 - (i) the grant of a licence in respect of one or more tier 2 substances only, or
 - (ii) the amendment of any condition of the licence relating to the storage or security of a tier 1 substance;
 - (d) £15 where the application is for—
 - (i) the amendment of a licence in respect of any tier 1 substances or tier 2 substances (other than the amendment mentioned in sub-paragraph (c)(ii));
 - (ii) the replacement of any lost, damaged or stolen licence.
- (7) The Secretary of State may require the applicant to provide additional information or documentation to—
- (a) the Secretary of State; or
 - (b) an authorised officer.
- (8) The Secretary of State may carry out such investigations or checks as the Secretary of State thinks appropriate, including investigations and checks about—
- (a) the applicant's physical or mental health;
 - (b) the commission or alleged commission by the applicant of any offence (including cautions or convictions that are spent), whether in the United Kingdom or elsewhere.
- (9) In making the application, the applicant is deemed to have consented to—

(2) [2007 c. 30](#). Section 5 of the UK Borders Act 2007 gives the Secretary of State power to make regulations concerning biometric immigration documents. The Secretary of State has the power to issue a biometric immigration document under regulation 13 of the Immigration (Biometric Registration) Regulations 2008 ([S.I. 2008/3048](#)). Regulation 13 has been amended by [S.I. 2009/819](#) and [S.I. 2012/594](#).

(3) [1983 c. 2](#); section 13C was inserted by section 4 of the Electoral Fraud (Northern Ireland) Act 2002 ([c. 13](#)) and amended by section 17 of the Northern Ireland (Miscellaneous Provisions) Act 2014 ([c. 13](#)).

- (a) the carrying out of any investigations or checks that the Secretary of State thinks appropriate in order to decide the application; and
 - (b) the processing by any person of information about the applicant (including sensitive personal data) that needs to be processed by that person for or in connection with those investigations or checks.
- (10) The Secretary of State may provide in guidance under regulation 24 that the requirement for a signature under paragraph (3)(d), (e) or (f) may be satisfied by an electronic signature, subject to such terms and conditions as may be specified.
- (11) In this regulation—
- “electronic signature” has the same meaning as in section 7(2) of the Electronic Communications Act 2000⁽⁴⁾;
 - “parent or guardian” means a person who has who has parental responsibility for a child, within the meaning of Part 2 of the Children (Northern Ireland) Order 1995⁽⁵⁾; and
 - “processing” and “sensitive personal data” have the same meaning as in the Data Protection Act 1998⁽⁶⁾.

(4) 2000 c. 7.

(5) S.I. 1995/755; Part 2 was amended by section 1 of the Family Law Act (Northern Ireland) 2001 (c. 12); section 199 of the Civil Partnership Act 2004 (c. 33); paragraph 94 of Schedule 5 to the Constitutional Reform Act 2005 (c. 4); paragraphs 71 and 72 of Schedule 6, and paragraph 1 of Schedule 8, to the Human Fertilisation and Embryology Act 2008 (c. 22); and paragraph 24 of Schedule 6 to the Welfare Reform Act 2009 (c. 24) (not yet in force).

(6) 1998 c. 29.